

**RESOLUTION OF THE FALLS CHURCH CITY COUNCIL
OPPOSING THE PROPOSED MARSHALL-NEWMAN UNMARRIED
COUPLES AMENDMENT TO THE CONSTITUTION OF VIRGINIA**

- WHEREAS, the Falls Church City Council supports inclusion rather than exclusion, and justice and equality as demonstrated in Section 25-46 of the City Code, which prohibits any discrimination based on race, color, creed, religion, age, disability, national origin, gender, political affiliation, sexual orientation or marital status; and
- WHEREAS, the Falls Church City Council supports basic civil rights for all Virginians, and wishes to include all people without regard to their race, creed, sexual orientation, color, disability, gender, or any other manner of diversity; and
- WHEREAS, the Commonwealth of Virginia has existing laws which already define marriage as between one man and one woman; and
- WHEREAS, the Falls Church City Council opposes all discrimination based on immutable characteristics, including sexual orientation, and deplores any proposal to write such discrimination into the Constitution of the Commonwealth of Virginia; and
- WHEREAS, a proposed amendment to the to the Bill of Rights of the Virginia Constitution will be presented to the voters of the Commonwealth in November 2006, which states in its entirety: "That only a union between one man and one woman may be a marriage valid in or recognized by the Commonwealth and its political subdivisions. This Commonwealth and its political subdivisions shall not create or recognize a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage. Nor shall this Commonwealth or its political subdivisions create or recognize another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage;" and
- WHEREAS, the proposed amendment not only seeks to define marriage as between a man and a woman, but also bans legal recognition of civil unions, domestic partnerships, and other arrangements between unmarried couples of any sexual orientation; and
- WHEREAS, the City of Falls Church includes many residents who are part of unmarried couple relationships; and
- WHEREAS, the City of Falls Church supports the local business community, including the Greater Falls Church Chamber of Commerce, which opposes the proposed amendment for, among other reasons, it will make

it more difficult to compete for qualified employees regardless of marital status and may foster employer-benefits litigation involving local businesses; and

WHEREAS, the proposed amendment would undermine the enforcement of existing domestic violence laws against unmarried cohabitating couples by, as has already been done in Ohio, providing an constitutional legal defense to unmarried cohabitating partners who commit violent acts against their partner;

WHEREAS, the proposed amendment would require the Falls Church City Council to pass and/or enforce state and local laws against residents, employees and employers located in the City of Falls Church which discriminate against City residents based on an immutable characteristic and which denies City residents basic civil rights; and

WHEREAS, the proposed amendment is antithetical to the concept of a Bill of Rights, and contains language that will have deleterious effects on governmental recognition of domestic relationships between unmarried couples.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Falls Church, Virginia that it opposes the Marshall-Newman Unmarried Couples Amendment to the Virginia Constitution that will be presented on the November ballot.

Reading: 9-25-06

Adoption: 9-25-06

(TR6-39)

(Mayor Robin Gardner)